

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No. 1125 of 1997
In
SPECIAL CIVIL APPLICATION No. 4718 of 1994
With
CIVIL APPLICATION No. 8793 of 1997

For Approval and Signature:

HONOURABLE MR.JUSTICE B.J.SHETHNA
HONOURABLE MR.JUSTICE M.C.PATEL

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- 1 Whether Reporters of Local Papers may be allowed to see the judgment ?
 - 2 To be referred to the Reporter or not ?
 - 3 Whether their Lordships wish to see the fair copy of the judgment ?
 - 4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
 - 5 Whether it is to be circulated to the civil judge ?
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STATE OF GUJARAT & 2 - Appellant(s)
Versus
PRABHATSINH B SOLANKI & 1 - Respondent(s)

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Appearance :

M/S PATEL ADVOCATES for Appellant(s) : 1 - 3.
RULE SERVED for Respondent(s) : 1,
MR PH PATHAK for Respondent(s) : 2,

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CORAM : HONOURABLE MR.JUSTICE B.J.SHETHNA
and
HONOURABLE MR.JUSTICE M.C.PATEL

Date : 13/10/2005

ORAL JUDGMENT (Per : HONOURABLE MR.JUSTICE B.J.SHETHNA)

Mr. Pathak, learned counsel for the respondents

frankly conceded at the bar that this matter is squarely covered against them by a Full Bench judgment in the case of **GUJARAT FOREST PRODUCERS, GATHERERS & FOREST WORKERS UNION vs. STATE OF GUJARAT reported in 2004 (2) G.L.R. Page 1488.** In view of the above, the impugned common judgment and order dated 28th April, 1997 passed in Special Civil Applications No.5025/1993, 1550/1992, 5147/1990, 4718/1994, 8286/1993, 3459/1996, 8100/1996, 5404/1991 and 540/1992 is hereby quashed and set aside and the main writ petition i.e. Special Civil Application No.4718/1994 filed by the respondents - petitioners is hereby dismissed.

No order on Civil Application for stay.

(B.J. Shethna, J.)

(M.C. Patel, J.)

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